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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/193,565	11/17/1998	JAY PAUL DRUMMOND	D1077+2	2182

28995 7590 02/25/2003

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EXAMINER

ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/193,565

Applicant(s)

Drummond et al.

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jul 14, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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**DETAILED ACTION**

1. The petition filed under 37 CFR 1.193 (a) on 06/17/2002 asking for Supervisor Review of the Examiner's final rejection mailed 09/19/2001, has been delegated by the Group Director to the Examiner of record in this application to be treated as a request for reconsideration. The reason for this delegation is that the points raised in the petition are agreed with and the relief requested is granted in full. Therefore, a new final rejection is provided.

2. Claims 1-20 are pending.

**NOTE**

3. The rejection to claims 7-12 is provided. See below.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-6, 10-14 and 17-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable by Anderson et al. (U.S. Pat. No. 5,706,442).**

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As per claims 1, 10, 13, 14, 17-20, **Anderson** substantially discloses a system/method for accessing recent financial information from various financial services providers (which is equivalent to Applicant's claimed invention wherein said an automated transaction machine, see, abstract), including:

at least one type of transaction function device, wherein the type transaction function device is selectively operative to carry out a transaction function (see., abstract, lines 2-5, or clients/servers); a computer, wherein the computer is in operative connection with the transaction function device (see., abstract, lines 2-5, or clients/servers, clients/servers can also be or call computer, node, processor, or module, col 2, lines 33-67, fig 1);

software executable in the computer, wherein the software includes a browser, wherein the computer operates the browser to access an HTML document responsive to the type of the transaction function device in the machine (see., abstract , col 2, lines 33-67, col 4, lines 45-67, figs 1 and 2).

It is noted that **Anderson** does not explicitly detail the claimed feature of automating transaction machine located in a first location, wherein transaction function includes one available transaction function device to carry out different types of transaction function.

**However**, **Anderson** has stated that a financial information from various financial services providers. The system is based on a client/server architecture so that services are accessible from a variety of presentation tools. Communications between clients and servers are accomplished using interfaces that group operations and attributes for various services. This implication discloses the use of assisting the user or customer in any location (i.e a first or second location etc). The user is capable

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of accessing different kind or types data from different interface devices (see., Anderson, abstract, col 2, lines 33-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Anderson system, wherein the financial information from various services providers thereof (Anderson, abstract, col 2, lines 33-67, col 4, lines 45-67) would incorporate the use of assisting the user or customer in any location (i.e a first or second location etc). The user is capable of accessing different kind or types data from different interface devices thereby filtering user or customer request, the motivation being to assist the user or customer in a common level.

**As per claims 2, 4, 5, Anderson** discloses the claimed limitation, wherein the machine includes a plurality of types of transaction function devices, and wherein the computer operates the browser to access the document by generating an address and wherein at least a portion of the address is indicative of at least one of the types of transaction function devices included in the machine (see., figs 1 and 2, col 4, lines 45-67, col 5, lines 1 and 2, clients/servers transactions).

**As per claims 3, 6, Anderson** discloses the claimed limitation, wherein the type transaction function device includes a depository (see., col 3, lines 7-16, col 5, lines 3-5, or firewall for security of applications).

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**As per claims 11, 12, Anderson** discloses the claimed limitation, wherein the accessing step includes accessing the first document at a first address, or accessing the second document at a second address (see., abstract, col 2, lines 55-67, col 4, lines 7-27, clients/server each at a different location, TCP/IP connection or address).

**6. Claims 7-9 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anderson et al. (U.S. Pat. No. 5,706,442) in view of Official notice.**

**As per claim 7, Anderson** discloses a system for accessing recent financial information from various financial services providers (which is equivalent to Applicant's claimed invention wherein said an automated transaction machine, see, abstract), including:

at least one type of transaction function device, wherein the type transaction function device is selectively operative to carry out a transaction function (see., abstract, lines 2-5, or clients/servers); a computer, wherein the computer is in operative connection with the transaction function device (see., abstract, lines 2-5, or clients/servers, clients/servers can also be or call computer, node, processor, or module, col 2, lines 33-67, fig 1);

software executable in the computer, wherein the software includes a browser, wherein the computer operates the browser to access an HTML document responsive to the type of the transaction function device in the machine (see., abstract , col 2, lines 33-67, col 4, lines 45-67, figs 1 and 2). But he fails to specifically disclose an output device (such as a printer). However, **Examiner hereby takes**

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**Official notice** that output device or a printer is notoriously well known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an output device or a printer because an output device or a printer is a computer peripheral that puts text or a computer-generated image on paper or on another medium, such as a transparency.

**As per claims 8, 9, Anderson** discloses the claimed limitation, wherein the one document includes instructions to operate at least one device, and wherein the computer is operate responsive to the one document to operate the device (see., col 4, lines 45-67, col 5, lines 1 and 2).

***Claim Rejections - 35 USC § 103***

**7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

**(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.**

**8. Claims 15 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anderson et al. (U.S. Pat. No. 5,706,442) in view of Official notice.**

**As per claims 15 and 16, Anderson** discloses a system for accessing recent financial information from various financial services providers (which is equivalent to Applicant's claimed invention wherein said an automated transaction machine, see, abstract), including:

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at least one type of transaction function device, wherein the type transaction function device is selectively operative to carry out a transaction function (see., abstract, lines 2-5, or clients/servers); a computer, wherein the computer is in operative connection with the transaction function device (see., abstract, lines 2-5, or clients/servers, clients/servers can also be or call computer, node, processor, or module, col 2, lines 33-67, fig 1);

software executable in the computer, wherein the software includes a browser, wherein the computer operates the browser to access an HTML document responsive to the type of the transaction function device in the machine (see., abstract , col 2, lines 33-67, col 4, lines 45-67, figs 1 and 2). But he fails to specifically disclose an output device (such as a printer). However, **Examiner hereby takes Official notice** that output device or a printer is notoriously well known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an output device or a printer because an output device or a printer is a computer peripheral that puts text or a computer-generated image on paper or on another medium, such as a transparency.

**REMARKS**

9. In response to claims 10 and all subsequent, Applicant argues that the prior art of record does not teach: "providing a first and a second HTML documents". As the Examiner has stated in the Office action mailed on 4/16/2001, this limitation is disclosed by Anderson in col 2, lines 33-67, specifically, lines 41-47, first and second HTML documents are readable as wherein said the user is capable accessing through a number of presentation tools or users interfaces using HTML browsers,



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with the HTML browser the user can access a first and a second document. Also, the financial services of Anderson is equivalent to the automated transaction function devices of Applicant's claimed invention.

In response to claim 7 and all subsequent, Applicant argues that the prior art of record does not teach: "Anderson's ('442) distributed system can not constitute the recited machine nor can servers in Anderson constitute the recited transaction function devices". However, Examiner disagrees because the client/server of Anderson is for financial transaction between users and customers such as bank, stock brokerages, credit card companies and so on. Furthermore, client/server can also be called transaction machine.

### **RESPONSE TO ARGUMENTS**

10. Applicant arguments filed on 7/14/2001 and 6/17/2002 have fully considered but they are moot in view of new ground (s) of rejection. Necessitated by amendment.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the

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mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

Washington, D.C. 20231

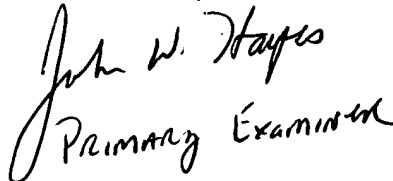
The Official fax Number For TC-3600 is:

**(703) 305-7687**

  
Pierre Eddy Elisca

Patent Examiner

**January 15, 2003**

JOHN HAYES  
  
Primary Examiner